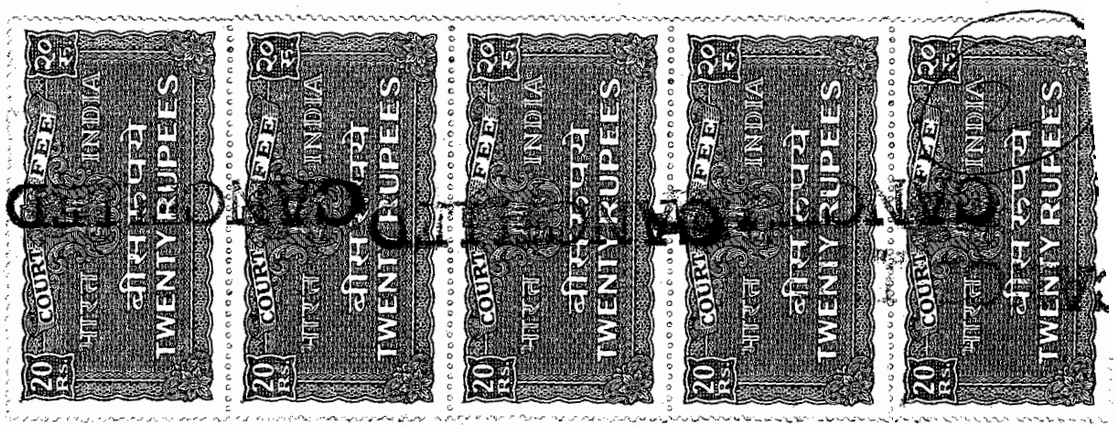

1001

IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR.

W.P.No. 123 of 2000

PETITIONER : Shri Sunil Chandra Rai S/o Shri S.C. Rai, aged about 60 years, Retired Depot Manager (Works) Depot No.2 Madhya Pradesh State Road Transport Corporation, Raipur, R/o E-42, Subhashini Bhawan, Rohinipuram, Raipur, Tahsil and District Raipur.

VERSUS

RESPONDENTS :

1. The Madhya Pradesh State Road Transport Corporation Through The Chairman (M.P.S.R.T.C.) Habib Ganj, Bhopal.
2. The Managing Director, M.P.State Road Transport Corporation, Habib Ganj, Bhopal.
3. The Divisional Manager, M.P.State Road Transport Corporation, Raipur Division, Raipur(Chhattisgarh)

P.R. No. 120
Presented by Shri B.K. Bhandarkar
dated 13-12-2000

PETITION UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA FOR ISSUE OF AN APPROPRIATE WRIT OR ORDER OR DIRECTION IN THE NATURE OF WRIT ETC.

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

24

आदेश पत्रक

मामला क्रमांक W.P.NO. 123/2000 सन् 200

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	10/12/2001 :- Petitioner by Shri S.K. Beriwal, Advocate. Respondent by Shri Dhirendra Mishra, Advocate. Heard. The petitioner in this petition has retired from service. He is yet to receive his retiral benefits. Due to non receipt of retiral benefits the petitioner and his dependants are facing great financial hardship. A prayer has been made that payment of retiral benefits cannot be delayed inasmuch as it is the right of the petitioner to receive such benefits. It has been stated at the Bar time and again that it is no bounty and it is the duty of the competent authority to pay retiral benefits. One and the only reason every time that is placed before this Court is that the department is facing ~~with~~ financial crunch. Shri Dhirendra Mishra, learned counsel appearing for the Department draws my attention to the document dated 29/08/2001 which is said to be a scheme which has been evolved by the department for the purpose of payment of retiral benefits to the employees who has since retired. The scheme proposes to make payment of Rs.5,000/- to the employees of Grade-I and II and Rs.3,000/- to the employees of Grade-III and IV per month.	

[पीछे देखिये

आदेश पत्रक (पुर्वानुबद्ध)

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

It has been contended by the counsel representing the Petitioner that the petitioner should be paid at least to begin with a reasonable lump sum.

After giving my anxious consideration to the various submissions made on behalf of the parties, I am of the opinion that since sooner or later the respondent must pay whatever is due to the retired employee and also taking into consideration the hardships caused to the employee in the absence of payment of any retiral benefits to him after he has retired from service, it will be just, fair and reasonable to direct the respondent to pay the petitioner a sum of Rs.25,000/- within two months from the date of receipt of this order. Thereafter I dire[illegible] that the respondents shall make payment strictly in accordance with the scheme that has been placed before this Court until the last paisa is paid ~~paying~~. Whatever amount has been paid earlier above in accordance with the direction of this Court shall be adjusted.

With the above directions and observations, this petition is disposed of . On failure to pay the money as directed above within the stipulated time the petitioner shall stand entitled to the payment of interest at the rate of 18% per annum.

Let the compliance report be submitted befo[illegible] Registry.

Certified copy of this order be supplied as per rules.

Sd/-
Chief Justice

GRPRJ—FS/311—1/2001—50,000.